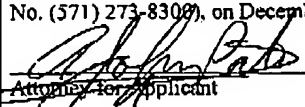


DEC 12 2006

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office (Fax No. (571) 273-8300), on December 12, 2006.

  
Attorney for Applicant

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Docket No. 2863-2-1-3

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|             |                       |             |
|-------------|-----------------------|-------------|
| Applicant:  | Alfred D. Commins     | )           |
|             |                       | )           |
| Patent No.: | 7,037,060             | )           |
|             |                       | ) Art Unit: |
| Serial No.: | 10/602,534            | ) 3677      |
|             |                       | )           |
| Filed:      | June 23, 2003         | )           |
|             |                       | )           |
| For:        | SHRINKAGE COMPENSATOR | )           |
|             | FOR BUILDING TIEDOWNS | )           |
|             |                       | )           |
| Examiner:   | Flemming Saether      | )           |

**PETITION UNDER 37 C.F.R. § 1.78(a)(3)**  
**FOR UNINTENTIONALLY DELAYED PRIORITY CLAIM**  
**UNDER 35 U.S.C. § 120**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

Dear Sir:

In accordance with 37 C.F.R. § 1.78(a)(3), Applicant hereby requests the granting of an unintentionally delayed priority claim under 35 U.S.C. § 120 as follows:

This application is a continuation of U.S. Patent Application Serial No. 10/146,531 filed on May 15, 2002, which is a continuation of U.S. Patent Application Serial No. 09/558,307 filed on April 25, 2000, which claims the benefit of U.S. Provisional Patent Application Serial No. 60/156,042 filed on September 24, 1999.


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As required by 35 U.S.C. § 120, Applicant is submitting concurrently herewith a Request for Certificate of Correction amending to the first paragraph of the specification of the above-identified patent application to recite the entire priority claim set forth hereinabove. Also, Applicant confirms that the entire delay between the date the claim was due under 37 C.F.R. § 1.78(a)(2)(ii) and the date the claim was filed was unintentional.

Included herewith is a credit card form (Form PTO-2038) authorizing payment in the amount of one thousand three hundred seventy dollars (\$1,370.00) to cover the fee set forth in 37 C.F.R. §1.17(t). Accordingly, Applicant requests that the correction to the specification filed concurrently herewith be accepted and that the unintentionally delayed priority claim under 35 U.S.C. § 120, set forth hereinabove, be granted.

DATED this 12<sup>th</sup> day of December, 2006.

Respectfully submitted,

  
A. John Pate  
Reg. No. 36,234  
Attorney for Applicant

Date: December 12, 2006

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2863-2-1-3 PAT-FIL-Petition 061207.wpd